



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,310	12/01/2000	Jorgen Birkler	34650-00659USPT	6069

7590 01/04/2005  
Brian D. Walker  
Jenkins & Gilchrist, P.C.  
1445 Ross Avenue  
Dallas, TX 75202-2799

EXAMINER
----------

NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
----------	--------------

2161

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/728,310

Applicant(s)

BIRKLER ET AL.

Examin r

CamLinh Nguyen

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,7-11,15,16 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,7-11,15-16,19-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendments to claims 1 – 27 are acknowledged. Consequently, claims 1, 11, 16, 20 – 22, and 25 – 27 have been amended. Claims 4 – 6, 12 – 14, 17, and 18 have been canceled. Accordingly, claims 1 – 3, 7 – 11, 15 – 16, and 19 – 27 are currently pending in the present application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7 – 9, 19 – 21, 23 - 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng. et al (U.S. 6,131,096) in view of Pivowar et al (U.S. 6,466,236).

♦ As per claim 1, 11, 22

Ng. et al (U.S. 6,131,096) discloses a mobile terminal comprising:

- “A multiple PIM functionality module enabling the mobile terminal to synchronize with multiple remote servers and provide multiple group of data with respect to a PIM application” See Fig. 1, in particular:
  - “A multiple PIM functionality module” corresponds to first PIM 155, second PIM 165 in client 120, col. 4, lines 54 – 67.

Art Unit: 2161

- “The mobile terminal to synchronize with multiple remote servers” See Fig. 4, element 425, Fig. 5 – 7, col. 7, lines 63 – 65.
- “Multiple remote servers” corresponds to the global server and second PIM server in fig. 1.
- “Multiple group of data” See Fig. 8, col. 4, lines 8 – 19.
- “Transceiver circuitry for communicating with the multiple remote servers through a network” See Fig. 1, element 175, col. 4, lines 51 – 54, col. 5, lines 57 – 62.

“Wherein the multiple groups of data from the multiple remote servers are merged into and displayed as one set of data” See col. 4, lines 7 – 15. Ng. teaches that the calendar in the invention may contain single calendar database, but it is possible for storing plurality of database that includes multiple groups of data. Each database is located in a respective server as seen in Fig. 1. Ng. does not clearly provide a display a calendar containing multiple groups of data.

However, Pivowar et al (U.S. 6,466,236) discloses a system for displaying and manipulating multiple calendars on a personal digital assistant. Pivowar teaches that multiple calendars can be displayed (see co. 5, lines 40 – 50, Fig. 9B, 9 E, col. 8, lines 20 – 42, Pivowar). There are multiple groups of data in the calendars (see col. 6, lines 10 – 16, Pivowar), and each type of data can be stored in a respective database. The display of Pivowar is a combination of different data types from different servers.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Pivowar for merging plurality of data server into a single set of data into the system of Ng. because the combination would provide the user easier to access the information in a single display

Art Unit: 2161

◆ As per claim 2 - 3, the combination of Ng. and Pivowar disclose:

- “The multiple PIM functionality module includes a plurality of versions of a PIM application, each of the plurality of versions of the PIM application able to synchronize with one of the multiple remote servers” See Fig. 8, col. 4, lines 8 – 19, 64 – 67. Ng. teaches that each database can include plurality of records (col. 9, lines 10 – 15). Each record corresponds to a version. Therefore, there is plurality of versions in a database of a particular PIM application.
- “Each of the plurality of versions of the PIM application includes separate synchronization data” See Fig. 8, col. 6, lines 21 – 25.

◆ As per claim 7, 19, the combination of Ng. and Pivowar disclose:

“The multiple PIM functionality displays a calendar containing the multiple groups of data” See col. 4, lines 7 – 15. Ng. teaches that the calendar in the invention may contain single calendar database, but it is possible for storing plurality of database that includes multiple groups of data. Ng. does not clearly provide a display a calendar containing multiple groups of data.

However, Pivowar et al (U.S. 6,466,236) discloses a system for displaying and manipulating multiple calendars on a personal digital assistant. Pivowar teaches that multiple calendars can be displayed side by side (See Fig. 9B, 9 E, col. 8, lines 20 – 42, Pivowar). There are multiple groups of data in the calendars (see col. 6, lines 10 – 16, Pivowar).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Pivowar into the system of Ng. because the combination would provide the user more easy to access the information in a single display

◆ As per claim 8, 20, 23, the combination of Ng. and Pivowar disclose:

Art Unit: 2161

- “The multiple groups of data may be displayed in bolded or non-bolded format depending on a relevance of the data” See Fig. 9E, Pivowar. The date and day (W) are displayed in bolded.
- ◆ As per claim 9, 21, 24, the combination of Ng. and Pivowar disclose:
  - “The multiple PIM functionality enables selectable configuration of the calendar” See Fig. 9C, Pivowar.
- ◆ As per claim 10, 15, 27, the combination of Ng. and Pivowar disclose:
  - “The multiple PIM functionality module further enables the mobile terminal to synchronize with a second mobile terminal” See Fig. 1, where the local and the second PIM PC can be laptop or moving workspace data (col. 2, lines 2 – 9).
- ◆ As per claim 16, 25 - 26, the combination of Ng. and Pivowar disclose:

Claim 16 and 25 are rejected based on the rejections of claims 1 – 6.

#### ***Response to Arguments***

4. Applicant's arguments filed 08/09/2004 have been fully considered but they are not persuasive.

Applicant argues that the references fail to teach the claim limitation includes: merging data from multiple remote servers and displayed as one set of data. The Examiner respectfully disagrees.

Referring to col. 4, lines 7 – 15. Ng. teaches that the calendar in the invention may contain single calendar database, but it is possible for storing plurality of database that includes multiple groups of data. Each database is located in a respective server as seen in Fig. 1. Ng. does not clearly provide a display a calendar containing multiple groups of data.

Art Unit: 2161

However, Pivowar et al (U.S. 6,466,236) discloses a system for displaying and manipulating multiple calendars on a personal digital assistant. Pivowar teaches that multiple calendars can be displayed (see co. 5, lines 40 – 50, Fig. 9B, 9 E, col. 8, lines 20 – 42, Pivowar). There are multiple groups of data in the calendars (see col. 6, lines 10 – 16, Pivowar), and each type of data can be stored in a respective database. The display of Pivowar is a combination of different data types from different servers.

In combination of Ng. and Pivowar clearly teach the claim limitation when both reference combination with each other as the amended claims.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2161


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN



ALFORD KINDRED  
PRIMARY EXAMINER